Expedited Bill No	<u>3-03</u>
Concerning: Landlord-T	Tenant Relations
–Attorney's Fees	
Revised: <u>4-3-03</u>	Draft No. 4
Introduced: March 4.	, 2003
Enacted: April 8, 2	2003
Executive: April 17,	2003
Effective: April 1, 2	2003
Sunset Date: April 1, 2	2005
Ch, Laws of Mor	nt. Co

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the request of the County Executive

AN EXPEDITED ACT to:

- (1) extend a temporary provision of law governing the payment of attorney's fees in certain landlord-tenant matters; and
- (2) generally amend the law regarding the payment of attorney's fees in landlord-tenant matters.

By amending

Laws of Montgomery County 2000 Chapter 32

Boldface	Heading or defined term.
<u>Underlining</u>	Added to existing law by original bill.
[Single boldface brackets]	Deleted from existing law by original bill.
Double underlining	Added by amendment.
[[Double boldface brackets]]	Deleted from existing law or the bill by amendment.
* * *	Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

1	Sec. 1. Sec.	ection 5 of Chapter 32 of the Laws of Montgomery County 2000 is
2	amended as follo	ows:
3	Sec. 5. A	mendment. Section 29-27, as amended by Section 1 of this Act,
4	is further amend	ed, effective April 1, [2003] 2005, as follows:
5		* * *
6	(n) Cor	ntain no agreement by a tenant to:
7	(1)	waive the right to a trial by jury;
8	(2)	pay court costs that exceed actual costs awarded by a court; or
9	(3)	pay legal costs or attorney fees [[other than those awarded by a
10		court after the court finds that the fees and costs are reasonable]].
11	[[In	addition, any agreement obligating a tenant to pay a landlord's
12	atto	orney's fees must:
13	(4)	provide that attorney's fees are not part of the tenant's rent and
14		[cannot be collected] <u>need not be paid to redeem the premises</u>
15		in [an action for] a nonpayment of rent action; and
16	(5)	obligate the landlord to pay the tenant's attorney's fees if the
17		tenant is the prevailing party in the legal action and fees are
18		awarded by a court.]]
19		* * *
20	Sec. 2.	Expedited Effective Date.
21	The Coun	cil declares that this legislation is necessary for the immediate
22	protection of the	public interest. This Act takes effect [[on]] <u>as of</u> April 1, 2003.
23		
24	Approved:	
25		
26		

Michael L. Subin, President, County Council

Approved:	
Douglas M. Duncan, County Executive	Date
This is a correct copy of Council action.	
Mary A. Edgar, CMC, Clerk of the Council	Date